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Comment re: 12-91, "COMMISSION SEEKS COMMENT ON EMERGENCY COMMUNICATIONS BY AMATEUR RADIO AND IMPEDIMENTS TO AMATEUR RADIO COMMUNICATIONS"

Possibly the biggest problem with the HOA/CC&R issue is the fact that most of the general public are unfamiliar with amateur radio regulations, especially those governing interference and RF exposure levels.

The general public may be familiar with the illegal CB operator causing problems with their TV or cordless phones, or the latest news story regarding cell phone cancer risks or bee population issues.

The general public is largely unaware that there are FCC regulations governing the antenna's positioning from the general public in relation to the antenna type, frequency, mode, and power used, as well as the required annual audit by the radio amateur. And people who have no interest in amateur radio would not want to read a Technician Class study guide.

In many regions (such as mine, which is largely HOAs) the authorities public and private understand the work of local amateurs with regard to local emergency communications, but other parts of the country aren't so lucky.

It is vital that amateur radio operators have the ability to communicate in HOA/CC&R locations, including base-station and HF operation, to ensure the stability of the service which is critical during emergency situations. Antenna-restrictive policies in HOA/CC&R situations should be prohibited.

In order to assure the general public that the amateur service is regulated properly with regards to effects on health and property, a prohibition on antenna-restrictive policies in HOA/CC&R situations could be accompanied by a third exposure standard (e.g. "Uncontrolled Residential"). This could be slightly stricter than the current Uncontrolled standard (but not as strict as Controlled), as well as take into account cosmetic issues regarding the visibility of antennas to nearby residents.

Thank you,

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